

Board of Selectmen Meeting
Tuesday, October 6, 2015

A meeting of the Rockport Board of Selectmen was held at 6pm on Tuesday, October 6, 2015 in Conference Room A in Town Hall. Present were five selectpersons, the Town Administrator and the Asst. Town Administrator.

6:00 Meeting Called to Order

Executive Session – MGL Ch 30A §21(a)(3) Strategy with Respect to Litigation: Selectperson Wilkinson moved that the Board of Selectmen enter into Executive Session under MGL Chapter 30A, §21(a) for exemption #3 to discuss strategy with respect to litigation, Selectperson Murphy seconded, Roll Call Vote: Chairperson Battistelli – aye, Selectperson Lucas – aye, Selectperson Murphy – aye, Selectperson Sheedy – aye, Selectperson Wilkinson – aye, all in favor.

Executive Session to discuss litigation Motion Approved

Chairperson Battistelli said we are entering executive session because, by not doing so, it would be detrimental to the Town's litigating position. The Board will reconvene in Open Session.

7:00 Pledge of Allegiance and Moment of Silence

Approval of Minutes of September 14, 2015: Selectperson Murphy moved that the Board of Selectmen approve the minutes of September 14, 2015, Selectperson Sheedy seconded, Vote: 5-0.

Approval of 9/14/15 Minutes Motion Approved

Approval of Minutes of September 22, 2015: Selectperson Sheedy moved that the Board of Selectmen approve the minutes of September 22, 2015, Selectperson Murphy seconded, Vote: 5-0. Edit: on page 2, change to "the Council on Aging is requesting exclusive use of the second floor of the Community House Monday through Friday".

Approval of 9/22/15 Minutes Motion Approved

Selectmen Updates and Liaison Reports: Chairperson Wilkinson said some shop owners, who are involved with Christmas in Rockport, are thinking about changing the schedule of the day Santa comes and spreading out the activities a little, so people can enjoy it for longer in the day.

Selectmen Updates and Liaison Reports

Public Comment Period: T. Arsenian, 95 Granite St., said he might comment on the alcohol regulations, surplus town property, and the town meeting debriefing. He commented on access to the coast and the Rights of Way Committee. He said there's a large sign at the end of Breakwater Avenue turning to Cathedral Avenue indicating it's private. The Town Administrator said she will get back to the Board of Selectmen on this, as this issue was discussed previously. Chairperson Battistelli said the Rights of Way Committee is working on an application requesting up to \$10,000 in grant money to maintain access to public walkways and to the ocean. One third of the funds received from license fees from saltwater fishermen have to go back to communities in the form of grants.

Public Comment Period

Town Administrator's Report:

- The Asst. Town Administrator provided an update on the recruitment for the Town Accountant, he said they are interviewing one candidate this week, if the interview goes well, the candidate will meet with the Town Administrator. If this doesn't go well, we will reach out to recruiting firms.

Town Administrator's Report

- The DPW received a grant in the amount of \$3,100 from the DEP to do some work on the Transfer Station.
- The school committee chair has requested that the Board of Selectmen and the School Department meet once per year, on the combined IS&T function, rather than the current schedule of two meetings each year and that the one meeting take place in the spring.
- A request was received regarding changing town hall hours in order to close on Friday. It was recommended that residents be surveyed on how they feel about it; it was also suggested to ask other communities that are closed on Friday.

7:35 Action List

Action List:

One Day Alcohol
License for
Rockport Exchange
Motion Approved

- One Day Alcohol License for the Rockport Exchange: Selectperson Wilkinson moved that the Board of Selectmen approve and sign a One Day Alcohol License for the Rockport Exchange on October 17, 2015, Selectperson Murphy seconded, Vote: 5-0. It was stated that last year there was not a sufficient police presence; this will be mentioned to Chief Horvath.

HarvestFest Block
Party on Bearskin
Neck
Motion Approved

- HarvestFest Block Party on Bearskin Neck: Selectperson Lucas moved that the Board of Selectmen approve a Block Party Celebration on Bearskin Neck as a part of HarvestFest from 1 pm to 5 pm on Saturday, October 17, 2015, Selectperson Murphy seconded, Vote: 5-0. This was proposed by My Place by the Sea. Sarah Kelly said they don't have the resources to facilitate all the needed communication on this with the shop owners. She said if everyone on Bearskin Neck is on board with this, she said they certainly support it. The Town Administrator said she contacted Chief Horvath; he said it wouldn't be a big problem. He will add a detail on Harvey Park, and have an ambulance on White Wharf. The Town Administrator recommended a reverse 911 call to those affected residents/shop owners to alert them. This will also celebrate the 175th Birthday of Rockport. It was stated that the police put the signs up for any road closings due to the block party.

Alcohol Regulation
Edits
Motion Approved

- Alcohol Regulations Edits: Selectperson Murphy moved that the Board of Selectmen make minor language modifications to the Restaurant Service Areas and the Restaurant Dining Areas – Service of a Meal sections as reflected on the 10/6/15 revision on page 4 of the Alcohol Policies, Rules, and Regulations, Selectperson Wilkinson seconded, Vote: 4-0, Selectperson Lucas abstained. Chairperson Battistelli said it will say under “restaurant service areas, “there shall be no bar where alcohol is served to patrons except that which is located in the restaurant, alcohol must be stored in a service area and wait staff must order and pick up alcoholic drinks from such service area and deliver them to seated patrons. Food and alcoholic beverages may also be served at a service bar by a certified bartender. The location of service bar shall not be changed unless approved by the Board of Selectmen and unless an amended floorplan is submitted showing the proposed change”. Under “restaurant dining areas, service of a meal, will say “no patron shall be served an alcohol beverage until such time as a patron is seated for a meal or at a service bar in a restaurant”. P. Beacham inquired about the Emerson Inn, he asked if people can wait in the reception area outside of the dining area and order a cocktail. They are not allowed to have a cocktail while waiting in the reception area until Gov. Baker signs the legislation. Selectperson Sheedy said we're not changing anything substantive here. She said the only thing coming back to the ballot is the sale of beer and wine only licenses. The second part is eliminating having to sit at a stool, you still have to be in a restaurant, but you can stand, this part doesn't need to go back to the ballot.

T. Arsenian said if the rules are being changed in any significant way, a public hearing should be held.

- Brackett's Ocean View Off-Season Events: Selectperson Sheedy moved that the Board of Selectmen approve a request for Brackett's Ocean View Restaurant to hold two off-season functions, the first for a Rehearsal Dinner on October 23, 2015 and the second for a Birthday Dinner on October 25, 2015, both with alcohol, Selectperson Murphy seconded, Vote: 5-0.
Brackett's Ocean View Off-Season Events
Motion Approved
- Use of Three Parking Spaces on Broadway: Selectperson Wilkinson moved that the Board of Selectmen approve the use of the last three parking spaces on Broadway, adjacent to the Baptist Church for use by the Rockport Navy Committee sponsoring their annual Massachusetts General Hospital Blood Drive on Saturday, December 5, 2015 from 8 am until 3 pm, Selectperson Murphy seconded, Vote: 5-0.
Use of 3 Parking Spaces on Broadway
Motion Approved
- Acceptance of Gift for Town Hall Flower Garden: Selectperson Lucas moved that the Board of Selectmen accept a gift of \$250 from the Rockport Rotary to be used for planting and maintaining flowers in front of Town Hall, Selectperson Wilkinson seconded, Vote: 5-0.
Acceptance of Gift for Town Hall Flower Garden
Motion Approved
- 122 Long Beach Lease Transfer: Selectperson Murphy moved that the Board of Selectmen approve the transfer of the lease for 122 Long Beach from Helen McCarthy and Kathleen McCarthy to Marion Deluca of Windham, New Hampshire, Selectperson Sheedy seconded, Vote: 5-0.
122 Long Beach Lease Transfer
Motion Approved
- 122 Long Beach Notice of Lease: Selectperson Sheedy moved that the Board of Selectmen approve and sign a Notice of Lease to Marion DeLuca for 122 Long Beach, Selectperson Murphy seconded, Vote: 5-0.
122 Long Beach Notice of Lease
Motion Approved
- Declaration of Town Property as Surplus: Selectperson Wilkinson moved that the Board of Selectmen declare the Seiko Teriostar LP-1030 wide-format platter/scanner and the HP DesignJet T1120 wide-format color plotter as surplus Town property, Selectperson Lucas seconded, Vote: 5-0.
Declaration of Town Property as Surplus
Motion Approved

Selectperson Wilkinson left the meeting.

8:00 Discussion Items:

- Fall Town Meeting Debrief: Town Moderator R. Visnick was present as well as Town Clerk, Pat Brown. R. Visnick said he likes and appreciates disagreements, but said he was initially worried that the meeting was a little raucous. He said it is important to have an instant way to vote; maybe "clickers" to allow people to vote. He said we need to figure out an economical way to accomplish this; a smart phone application is available as well. Clickers may have saved one half an hour for each vote at town meeting, maybe 1-1/2 hours for the whole meeting. Other communities are doing it, but Pat Brown said it's expensive. The system would need to work remotely from 300 to 400 feet in the gym. It may be more expensive to rent it; the cost is approximately \$15,000. To purchase the system, 400 units would cost approximately \$9,500; it's easy to use. R. Visnick said in classroom applications, clickers are being used to obtain immediate feedback from students; the technology exists. How about sharing a system with other communities; we'd have to coordinate meeting dates; this needs to be reviewed. R. Visnick said we should look 2-5 years down the road to change meeting dates so residents have plenty of time to plan
Fall Town Meeting Debriefing

accordingly, or we should change the by-law. P. Brown requested if there is a speech prepared for town meeting, it would be beneficial if it could come to the town clerk ahead of time so it can get into the Town Meeting minutes accurately. She said amendments are tough; we need to have something beforehand. If amendments can go directly to R. Visnick ahead of time, that would be helpful. T. Arsenian said he tries to get things in ahead of time on an amendment; Town Counsel is there to assist in the last minute and you can ask for help.

Summary explanations in the booklet were discussed. R. Visnick said the concern is that it might be viewed that the summary is slanted by whoever is writing the summary. The Town Administrator said she writes many of the summaries.

Wally Hess, Finance Committee, recommended getting the voters booklet out to every resident in the mail; 2-3 weeks in advance of town meeting. He said another option is to send just the Finance Committee report to every resident, so that's maybe 10-15 pages.

R. Visnick said residents could elect to receive a pdf or paper copy. Chairperson Battistelli said how about a code red alert when the voter books are ready to be picked up.

T. Arsenian said some people take longer than their allotted five minutes when they are speaking. He recommended notifying speakers with a red flag when their time is running out.

Election Options for Alcohol Bill

- Election Options for Alcohol Bill: Selectperson Lucas did not participate in the discussion. Pat Brown, Town Clerk, said March is the presidential election. She said communities cannot tack anything onto that election. She said the machines we just bought can read two different ballots. We could put it in the local election in May, we would need a two month notice; absentee ballots need to go out early. P. Brown said we can get ballots in about 14 days. She said a separate election can be held at any time for about \$4,000. Selectperson Murphy said he is not in favor of holding a separate election; it should be on the same day as the presidential election.

Other Business/Announcements:

8:45 Selectperson Murphy moved to adjourn, seconded by Selectperson Sheedy, Vote 4-0.

Warrant Signed:

Warrant signed for the Fiscal Year 2015 Payroll and Expenses for the week of October 8, 2015 in the amounts of \$122,417.26 and \$243,480.56 respectively.

Items Signed:

Sugar Buff, Inc. - Common Victualler's License
Rockport Exchange, special permit for alcoholic beverages
Lease Agreement, Marion DeLuca, 122 Long Beach
Notice of Lease, Marion DeLuca, 122 Long Beach
Street Performer License - Maurice Costa